

the ablest men in the Commonwealth, and as an instrument, which will take its place at the head of State's moral code. With the passage of the bill, the House was told, Virginia takes its place in the growing family of States that have broken the century-old compact with liquor and emancipated their people from the thrall of alcohol.

**FEW VOICES ARE RAISED IN PROTEST**

Only a few raised their voices to protest that the law to which Virginia's House was about to give its approval contains drastic provisions which had no place in the bill that guided the people's vote in 1914, and that it provided for a brand of prohibition far different in many respects from the prohibition that was defined in the enabling act.

In this small minority stood out Delegate R. P. Leedy, of Page, who registered in unsparring language his protest against the enactment of a bill which he denounced as a "hydrated piece of parchment" that denies the fundamental right of freemen to trial by jury in their vicinage, sets up a system, whose emblems are given the right to invade one's house to search for evidence of liquor law violation, and in other respects nullifies principles of personal liberty handed down from Magna Charta.

**LEEDY DENOUNCES "INHOLY ALLIANCE"**

The measure about to receive the approval of the House, declared Colonel Leedy, was born of an unholy alliance between the Anti-Saloon League and a political faction following the dictates of opportunism, and effects a more nearly dangerous union between the church and State than has been seen in Virginia since these two powers were joined under the Constitution of Thomas Jefferson.

Others raised their voices in protest to this or that feature of the bill, but Colonel Leedy alone gave it a blanket condemnation. He spoke with an earnestness and vehemence that could not be mistaken, asking no quarter and giving none. When, late in the afternoon, Delegate Gordon arose to make reply to the attacks, and to make a final appeal for the bill's passage, he degressed to compliment Colonel Leedy on the sincerity of conviction that marked his speech, expressing the hope that prohibitionists might show the same sincerity and loyalty in their opposite views.

**MAIN PROVISIONS OF PROHIBITION BILL.**

As the bill stands it makes it unlawful, after November 1, 1916, for any person in the State to manufacture, transport, sell, give away, give away, dispense, or solicit or receive orders for ardent spirits which are defined to embrace alcohol, brandy, whiskey, rum, wine, porter, ale, beer, all malt liquors, absinthe and all compounds of any of these with vegetable or other substances, that will produce intoxication. In the same category are placed fruits preserved in ardent spirits, and all beverages containing more than one-half of 1 per cent of alcohol by volume.

The prohibition does not apply to ardent spirits not more than 1 per cent of alcohol by volume which may be manufactured and sold after November 1, 1916, as at present. Provision is made for the handling of pure and brandy, alcohol and pure whiskey, medicinal, pharmaceutical, scientific and mechanical purposes, and of wine for sacramental purposes for use by religious bodies.

The manufacture of order from fruit of one's own raising and for consumption at home is not interfered with. Hotels, under certain rigid restrictions, are allowed to purchase and keep on hand liquors and wines for culinary purposes.

**CREATES OFFICE OF PROHIBITION COMMISSIONER.**

For the enforcement of the law the bill creates the office of commissioner of prohibition, who is given the power to appoint an unlimited number of deputies or inspectors to assist in the local enforcement of the law. The commissioner is to receive a salary of \$3,000 a year and to be elected by the General Assembly. His term of office is fixed at four years. An initial appropriation of \$5,000 is provided for the operation of the new police arm of the government for the next two years.

The bill allows every adult male in the State and every adult female who is head of a family, to receive not more than one gallon of wine and three gallons of beer.

Amendments were offered in the course of the consideration of the bill by the House, striking from the measure the sections relating to medicinal spirits to be supplied on prescriptions, by drug stores, and permitting hotels to keep on hand an unlimited amount of spirits for culinary and other purposes.

**MANY COUNTIES ARE MADE EXEMPT**

Failing to secure the elimination of these sections, members sent to the desk amendments exempting a large number of counties and cities from their application. In the list were exempted, drug stores and hotels will be barred altogether from availing themselves of the privileges conferred by these sections. The city of Richmond is included in the list of counties and cities in which no drug store will be permitted to handle alcohol or whiskey.

Floor leader Willis opened the fight on the commissioner provision at the morning session with a striking arraignment of this feature of the law.

"In doing to oppose the creation of this office," said Mr. Willis, "you are in the knowledge that what I have to say will not affect the result. It is the first time that I have addressed myself to an amendment which I know in advance will be defeated, for I know that you are going to pass this bill substantially as it comes to us from the Senate."

"This section proposes to create an office and a set of assistants charged with the special duty of enforcing the prohibition law. He is to be commissioner of prohibition. I say to you that there is no more reason for having a commissioner of prohibition than there is for having a special commissioner of murder, a commissioner of arson or a commissioner of larceny."

**NO SPECIAL MACHINERY NEEDED, SAYS WILLIS.**

"We are told that special machinery is required to enforce this law—that it is different from all other laws. The new office is justified on the assumption that there are communities in this State that will defy the prohibition law and whose officers will not enforce it. Challenge the proponents of this measure to point out a single section of the State where the law is not enforced with respect to murder, larceny, arson and all other crimes. Is there any reason to believe that the officers of the sections will single out the prohibition law and spare the persons who break it?"

"The Senate has already passed an 'ouster' law and the same bill will

## How House Members Voted

On final passage of bill the vote stood—

Yeas—Messrs. Adams, R. D. Baker, H. P. Baker, W. W. Baum, Beale, Beattie, Birrell, Bond, Bonham, Bristow, Browning, Buck, Buhrman, Burke, Cato, Clement, Coldiron, Commings, Cornett, Cox, Crockett, Daniel, Davis, Dodson, Edwards, Gillip, Goodwin, Green, Hall, Harrison, Hendley, Holston, Hordley, Hughes, Huntley, Jett, Jones, Jordan, Kent, Leedy, Lowry, M. K. Lowry, Mann, Meetez, Moss, Murray, Musgrave, Myers, Noland, Norris, Owen, Pence, Penne, Phillips, Price, J. H. Price, R. W. Ramsey, Reed, Row, Roberts, Russell, Shumate, Smith, Sproul, Stand, Steek, Stephenson, Stubbs, Sutherland, Swift, Taylor, Tiffany, Valentine, Walton, White, Williams, Winston, Wright, and Mr. Speaker—88.

Nays—Messrs. Adams, A. S. Cook, Fuller, Gordon, and Parr—5.

Paired—Brown, aye, Leedy, no.

On Willis amendment striking out commissioner provision the vote stood—

Yeas—Messrs. Adams, A. S. Cook, Fuller, Gordon, and Parr—5.

Paired—Leedy, aye, Brown, no.

On Love amendment, making Attorney-General ex-officio Commissioner of Prohibition, the vote stood—

Yeas—Messrs. Bond, Cook, Gordon, Harrison, Hendley, Lowry, H. C. Norris, Owen, Pence, Penne, Phillips, Price, J. H. Price, R. W. Ramsey, Reed, Row, Roberts, Russell, Shumate, Smith, Sproul, Stand, Steek, Stephenson, Stubbs, Sutherland, Swift, Taylor, Tiffany, Valentine, Walton, White, Williams, Winston, Wright, and Mr. Speaker—42.

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Paired—Hundley, aye, Pitts, no.

On Reed amendment, making prohibition commissioner, elective by the people beginning in 1920, the vote stood—

Yeas—Messrs. Adams, A. S. Cook, Fuller, Gordon, and Parr—5.

Paired—Brown, aye, Leedy, no.

On Willis amendment striking out commissioner provision the vote stood—

Yeas—Messrs. Adams, A. S. Cook, Fuller, Gordon, and Parr—5.

Paired—Leedy, aye, Brown, no.

On Willis amendment striking out commissioner provision the vote stood—

Yeas—Messrs. Adams, A. S. Cook, Fuller, Gordon, and Parr—5.

Paired—Leedy, aye, Brown, no.

On Willis amendment striking out commissioner provision the vote stood—

Yeas—Messrs. Adams, A. S. Cook, Fuller, Gordon, and Parr—5.

Paired—Leedy, aye, Brown, no.

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Paired—Leedy, aye, Brown, no.

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Paired—Leedy, aye, Brown, no.

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Paired—Leedy, aye, Brown, no.

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Yeas—Messrs. Adams, A. S. Cook, Fuller, Gordon, and Parr—5.

Paired—Leedy, aye, Brown, no.

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Yeas—Messrs. Adams, A. S. Cook, Fuller, Gordon, and Parr—5.

Paired—Leedy, aye, Brown, no.

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**WANTED COMMISSIONER**

Delegate Hugh A. White, of Rockbridge, followed with a short speech on the commissioner feature. He would vote first, he said, to omit this section altogether following on his constituents who are entirely willing to have enforcement of the law to the Governor and the State's present law-enforcement machinery.

Mr. White registered his opposition to the Love amendment making the Attorney-General ex-officio prohibition commissioner.

"It is doubtful practice at any time to confer duties ex-officio," said Mr. White. "Every officer with important duties to perform should be elected by the voters of the State, and not by the Legislature. The plan proposed by the amendment would hamper both the duties of the Attorney-General and commissioner of prohibition's office."

"The Attorney-General's is a quasi-judicial office. It should under no circumstances be merged with an office whose chief functions are defined by this bill give it the character of a detective bureau. I fear that when the Attorney-General's office is to be filled by a selection of the Legislature, it will be filled by a man chosen rather for his fitness as a commissioner of prohibition than for his fitness as an able lawyer to fill the office of Attorney-General. It is fundamental, moreover, that the Attorney-General shall not also be the prosecutor of prohibition law violations would unquestionably, in my mind, be prejudicial in court because of the other half of his dual personality as accuser and detective."

**SAYS COMMISSIONER PLAN HAS FAILED IN OKLAHOMA**

Mr. Gordon produced letters from authorities in Oklahoma to show that the commission in that State, which was abolished after a short trial, proved of doubtful value. When Delegate Gordon came to the defense of the prohibition bill at the afternoon session he took Mr. Gordon to task for his failure to compare the people of Oklahoma with its half-breed population of "adventurers, Indians and half-breeds" to the people of Virginia, who have, he said, totally different ideals of government.

Calling the adoption of the Attorney-General plan, said Mr. Gordon, he was in favor of selecting a prohibition commissioner a business man of wide experience and training. It would be a blunder, he said, to elect any person who was not a member of the Anti-Saloon League, because such an election would be received with suspicion and distrust.

Delegate Norris, at the opening of the afternoon session, offered an amendment providing for the popular election of the commissioner beginning with 1918, the office to be filled concurrently with the election of the Governor. The people of the State, he held, would be more likely to act wisely in the selection of this officer than the General Assembly. In the event that this amendment were voted down, he said, he would be compelled to support the Love amendment making the Attorney-General ex-officio commissioner. His amendment was overwhelmingly rejected during the afternoon session.

**SAYS STATE NEEDS SPECIAL OFFICER TO ENFORCE LAW**

Following him came Delegate Swift, of Fredericksburg, who spoke in support of the bill as it stood. A special officer for the enforcement of the prohibition law was needed in Virginia more than in any of the other prohibition States. To assign the duty of enforcing this law to the Attorney-General, he said, would be a grave burden placed on him, since he would immediately result in a coalition between the "wet" elements and the party faction hostile to the Attorney-General and in this manner emphasize the rift in the State's democracy.

Mr. Swift took issue with Delegate Gordon on the eligibility of Anti-Saloon

League workers for election to the commission. While the Anti-Saloon League, he said, as far as he knew, had no candidate for this position, it is fundamentally unfair to bar any otherwise qualified person who is active in the league from being a candidate for this office. His affiliation with this organization, he said, should not be held against him when he becomes a candidate for this or any other office in the State for which he is qualified.

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